

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Sante Tyquan Ballard

Docket No. 5:11-CR-130-1FL

Petition for Action on Supervised Release

COMES NOW Dewayne L. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Sante Tyquan Ballard, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 50 Grams or More of Cocaine Base (Crack), in violation of 21 U.S.C. § 846, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on May 8, 2013, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. Upon a motion of the defendant pursuant to 18 U.S.C. § 3582(c)(2), the defendant's sentence was reduced to 96 months on May 20, 2015.

Ballard was released from custody on May 10, 2018, at which time the term of supervised release commenced. On June 14, 2018, a Violation Report was submitted advising that the defendant tested positive for marijuana. The defendant was verbally reprimanded, counseled about his actions, and referred to outpatient substance abuse treatment. The court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

During a home inspection on February 19, 2019, the defendant tested positive for cocaine and marijuana via instant urine screen. Ballard admitted to using these illegal substances, and he signed an admission of drug use form. As a sanction for this violation, the probation office is recommending that he be placed on 30 days curfew with electronic monitoring. Additionally, he was instructed to attend weekly outpatient substance abuse treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Dewayne L. Smith
Dewayne L. Smith
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2338
Executed On: February 21, 2019

ORDER OF THE COURT

Considered and ordered this 21st day of February, 2019, and ordered filed and made a part of the records in the above case.


Louise W. Flanagan
U.S. District Judge